



U.S. Department of Justice
United States Attorney
Western District of New York

Further inquiries: (716) 843-5814

138 Delaware Avenue
Buffalo, New York 14202

PRESS RELEASE

May 3, 2005

RE: UNITED STATES v. JEFFREY D. FISCHER

United States Attorney Michael A. Battle announced today the May 2, 2005 sentencing of Tulsa, Oklahoma criminal defense attorney Jeffrey D. Fischer, 54, who was convicted in U.S. District Court, Buffalo, New York, of aiding and abetting bank larceny on October 1, 2004. Mr. Fischer was sentenced to two (2) years probation, including eight (8) months home confinement and a \$5,000 fine by United States Magistrate Judge Hugh B. Scott.

Assistant U.S. Attorney Allison P. Gioia, who handled the case, stated that the defendant had been convicted of aiding and abetting bank larceny when, beginning in or about May 1994 through March 1999, Mr. Fischer knowingly aided and abetted the taking of money from Citibank (New York State) knowing that neither he nor his mother, Herta Fischer, were entitled to that money. Specifically, on eight (8) separate occasions from August 1993 through 1998, Mr. Fischer, at the request of his mother, had notarized Certificates of Life supplied by Pensionversicherungsanstalt der Angestellten, now known as Pensionversicherungsanstalt (the "Austrian Pension Fund"), certifying that his father,

Fritz Fischer, was still living. Once signed and notarized, the Certificates of Life were returned to the Austrian Pension Fund and, based on the Certificates of Life certifying that Fritz Fischer was still living, the Austrian Pension Fund directed Citibank (New York State) to issue pension benefit checks to Fritz Fischer. Notwithstanding the certifications to the contrary, Fritz Fischer died on July 4, 1993. The total amount of restitution paid by the defendant to the Austrian Pension Fund was approximately \$74,000.

The conviction was the culmination of an investigation on the part of the Federal Bureau of Investigation, Buffalo, New York Division, under the direction of Special Agent in Charge Peter J. Ahearn and the Federal Bureau of Investigation, Oklahoma City (Tulsa), Oklahoma Division, under the direction of Salvador Hernandez.

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